

MCKEE, VOORHEES & SEASE, PLC

MCKEE VOORHEES & SEASE, PLC

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OFFICIAL

DATE: January 16, 2004

TO: Art Unit 1634 - Mail Code AF

COMPANY: USPTO

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FROM: HEIDI S. NEBEL

NUMBER OF PAGES (Including cover): 11

COMMENTS: Please file the attached NOTICE OF APPEAL and AMENDMENT AFTER FINAL:

IN RE APPLICATION OF: ROTHSCHILD, et al.
SERIAL NO: 09/380,419
FILED: July 24, 2000
FOR: MELANOCORTIN-4 RECEPTOR GENE AND
USE AS A GENETIC MARKER FOR FAT
CONTENT, WEIGHT GAIN, AND/OR FEED
CONSUMPTION OF ANIMALS

Group Art Unit: 1634
Examiner: SWITZER, Juliet Caroline
Attorney Docket No: P03815US1

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NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

IN RE APPLICATION OF: ROTHSCCHILD, et al.
SERIAL NO: 09/380,419
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FOR: MELANOCORTIN-4 RECEPTOR GENE AND USE AS A
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Attorney Docket No: P03815US1

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated July 16, 2003 rejecting the following claims: 1-11, 20-23, 29, 30 and 32-36.

The items checked below are appropriate:

- ☒ The Commissioner is hereby authorized to charge the Appeal charges in the amount of \$330.00 to Deposit Account No. 26-0084.
- ☒ The Commissioner is hereby authorized to charge the extension fees to Deposit Account No. 26-0084.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

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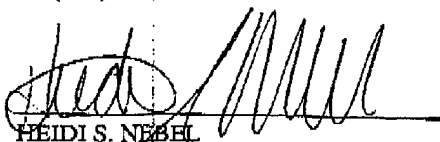
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HEIDI S. NEBEL

- ☒ The Commissioner is authorized to charge any underpayment or credit any overpayment or to Deposit Account No. 26-0084.
- ☒ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

Respectfully submitted,



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Attorneys of Record

- mlw -

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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Rothschild et al.
SERIAL NO : 09/380,419
FILED : July 24, 2000
TITLE : MELANOCORTIN-4 RECEPTOR GENE AND USE AS A GENETIC
MARKER FOR FAT CONTENT, WEIGHT GAIN, AND/OR FEED
CONSUMPTION OF ANIMALS

Grp./A.U. : 1634
Examiner : Switzer, Juliet. C.
Conf. No. : 2593
Docket No. : P03815US1

AMENDMENT AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Mail Stop AF
Alexandria, VA 22313-1450

Madam:

In response to communications from the Examiner dated July 16, 2003, a final rejection, and a communication from the Examiner dated November 28, 2003, an Interview Summary, it is respectfully requested that this Amendment After Final Rejection be entered and made of record. It is believed that the following amendments and remarks place the application in a form for allowance in accordance with the Examiner's suggested claim language. The only changes that

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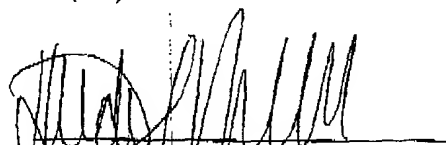
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have been made to the claims are corrections of the trait associations. No new matter is presented, as such the amendment is proper under 37 C.F.R. § 1.116. Applicants respectfully request reconsideration.